

**HUMAN SERVICES DEPARTMENT[441]**

**Adopted and Filed**

Pursuant to the authority of Iowa Code section 249A.4, the Department of Human Services amends Chapter 79, “Other Policies Relating to Providers of Medical and Remedial Care,” Iowa Administrative Code.

These amendments increase the Medicaid dispensing fee for prescribed drugs by an additional amount based on additional appropriations made in 2011 Iowa Acts, House File 649. For state fiscal year 2012, the total dispensing fee will be \$6.20, the usual fee of \$4.34 plus an add-on of \$1.86 to reflect the additional appropriation.

These amendments were Adopted and Filed Emergency and were published in the Iowa Administrative Bulletin on September 7, 2011, as **ARC 9708B**. Notice of Intended Action to solicit comments on these amendments was published as **ARC 9709B** on the same date. The Department received no comments on the Notice of Intended Action. These amendments are identical to those published under Notice of Intended Action and Adopted and Filed Emergency.

The Council on Human Services adopted these amendments on February 8, 2012.

These amendments do not provide for waivers in specified situations because the change is a benefit to the providers affected. Requests for the waiver of any rule may be submitted under the Department’s general rule on exceptions at 441—1.8(17A,217).

After analysis and review of this rule making, no impact on jobs has been found.

These amendments are intended to implement Iowa Code section 249A.4 and 2011 Iowa Acts, House File 649, section 28, subsection 1(b).

These amendments shall become effective on April 11, 2012, at which time the Adopted and Filed Emergency amendments are rescinded.

The following amendments are adopted.

ITEM 1. Amend subrule **79.1(2)**, provider category “Prescribed drugs,” as follows:

<u>Provider category</u>	<u>Basis of reimbursement</u>	<u>Upper limit</u>
Prescribed drugs	See 79.1(8)	<del>\$4.34</del> <u>\$6.20</u> dispensing fee effective 8/1/11. (See 79.1(8) “a,” “b,” and “e.”)

ITEM 2. Amend paragraph **79.1(8)“g”** as follows:

g. For services rendered on or after ~~July 1, 2010~~ August 1, 2011, the professional dispensing fee is ~~\$4.34~~ \$6.20 or the pharmacy’s usual and customary fee, whichever is lower.

[Filed 2/8/12, effective 4/11/12]

[Published 3/7/12]

EDITOR’S NOTE: For replacement pages for IAC, see IAC Supplement 3/7/12.